

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

MARY A. KIZER, )  
v. )  
Plaintiff, )  
JO ANNE B. BARNHART, Commissioner ) NO. CIV-04-1066-HE  
of the SOCIAL SECURITY ADMIN., )  
Defendant. )

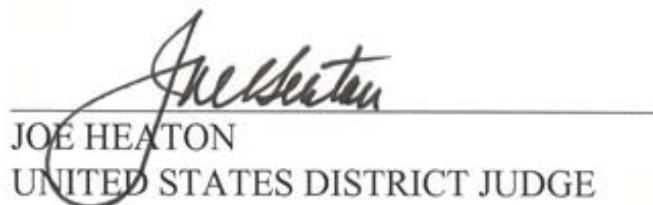
**ORDER FOR PAYMENT OF ATTORNEY'S FEES  
PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT**

Before the Court is plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act and for award of court costs [Doc. #24]. Plaintiff is requesting attorney's fees in the amount of \$5,105.10. Defendant has responded, stating she has no objection to plaintiff's request.

Accordingly, the Court **GRANTS** plaintiff's motion and awards her fees and costs in the amount of \$5,105.10, payable to the law firm of Perrine McGivern Redemann Reid Berry & Taylor, P.O. Box 1710, Tulsa, Oklahoma 74101. If attorney's fees are also awarded under 42 U.S.C. § 406(b)(1) of the Social Security Act, plaintiff's counsel shall refund the smaller award to plaintiff pursuant to Weakley v. Bowen, 803 F2d 575, 580 (10th Cir. 1986).

**IT IS SO ORDERED.**

Dated this 31st day of May, 2005.

  
JOE HEATON  
UNITED STATES DISTRICT JUDGE